

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROLAND BUTLER,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	No. 09-2497
	:	
RAYMOND J. SOBINA, <u>et al.</u> ,	:	
Respondents.	:	
	:	

ORDER

AND NOW, this 28th day of October, 2009, upon consideration of the Petition for Writ of Habeas Corpus, Respondents' Answer thereto, Petitioner's "Answer to Respondents August 11, 2009 Answer to His Application for Writ of Habeas Corpus," the Report and Recommendation of United States Magistrate Judge M. Faith Angell dated September 21, 2009, Petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is hereby **ORDERED** that:

1. Petitioner's objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** as untimely without an evidentiary hearing; and
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.